

# Senate

FRIDAY, OCTOBER 17, 1986

(Legislative day of Tuesday, October 14, 1986)

## CONTINUING APPROPRIATIONS, 1987—CONFERENCE REPORT

(Continued)

At this point, Mr. President, I would be pleased to yield to my colleague from Maine who probably played as important a role as any in the budgetary process this year with his cross-membership between the Intelligence Committee and the Armed Services Committee, the other authorizing body with regard to these matters.

Mr. COHEN. I thank the Senator for yielding.

Mr. President, I will not take a good deal of time in speaking in the Chamber this afternoon.

Let me say that I join with what my colleague from Minnesota has said about the corruption of the process.

I would like to direct my comments to another item which also cannot be discussed, unfortunately, on this floor.

We have just gone through 2 days of debate on the whole issue of the infection of trichinosis in our appropriations process. That is not a new phenomenon to this body or to the other. I do not wish to accuse anyone of having less than noble intentions. But when it starts spreading into the intelligence field, then I fear for our country. What we have is an item that has been included in the continuing resolution which the intelligence community did not request, which it did not want, and which today it remains strongly opposed to. It is almost a parallel to what we have just gone through on the T-46, only it has far greater implications for our country, for the security of the country, and certainly for the economics of the country.

As a result of pure political pork barreling to satisfy one member of the appropriations conference, funding has been provided which is a small down payment on a future system which is unneeded, unwanted, and which is going to be outrageously expensive, at a time when we are facing declining budgets for defense and intelligence matters.

Mr. President, for the committee to yield to this sort of pork barreling to satisfy an individual constituency, seems to me to undermine the security of this country. I again regret that I and other Members cannot be at liberty to discuss the individual items, but I can assure my colleagues that as soon as we reconvene the next session, I

intend to work very hard to see to it that that particular program is terminated.

On that note, Mr. President, I yield the floor.

Mr. STEVENS addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, I regret that I am the person who has to respond to these comments. It is very difficult to do because, as both Senators have mentioned, we are talking about highly classified programs that are classified in the national interest, and I think all concerned understand that.

I have deplored on this floor many times the separation of the powers in the defense and intelligence fields between the authorization committees on the one hand and the appropriations committees on the other. They are made up of separate Members of each body who have different approaches to both defense and to intelligence.

My good friend, the Senator from Arizona, has just left the floor. He has considerable feeling right now concerning the relationships of the authorization committee to the appropriations committee. The two Senators from the Intelligence Committee have just remarked about activities that took place in the conference concerning intelligence issues.

Let me comment on several of them.

When this bill came out of committee, because we did not have an authorization bill, we, in fact, did include the provision that the Senator from Minnesota read concerning authorization of intelligence matters.

Let me assure the Senator from Minnesota, however, that the defense bill itself does, in fact, have a serious impact on intelligence activities in this country, and we must deal with both of them in the appropriations processes in our subcommittee.

In terms of dealing with the items that the Senator from Maine has mentioned, there was a clear, not request, but demand for one function in terms of a classified area.

□ 1600

In order to achieve that goal, it was necessary to deal with the absolute command of the House and not just one member, but every member of the conference, in dealing with another subject in the classified area. That is,

unfortunately, the process of compromise in a conference between the House and the Senate when the House has a demand which, unless it is met, will give us a situation where we would not have a resolution.

We have funded fully the area that had the absolute demand. In order to do so, we had to resolve a request of the House. As I said, it was a united request, turning on the continuation of activities in another classified area which the authorization committee had mandated be ceased.

Now, we understand that. I think the Senator understands that. There was no attempt to deceive anybody about it. It is stated in the classified index, it is available and provided to the committee that the two Senators represent.

Mr. COHEN. Will the Senator yield?

Mr. STEVENS. I just want to make sure that the two Senators are not somehow or other alleging some bad faith as far as those of us who sit on the Appropriations Committee and handle these matters. We have provided the funds for the essential items the Senators have mentioned. We went further and provided the funds the House demanded because of the necessity that they would not yield on matters that we considered highly essential unless they did. That is the simple answer.

I am happy to yield.

Mr. COHEN. Mr. President, I certainly had no intention to cast any aspersion on the remarks of the Senator. I am aware of the kind of pressure he is under when dealing with the House. By the same token, I did not intend to imply, nor do I now, that he is in any way trying to mislead anybody in the Senate. By virtue of the fact that the information is classified, most of the membership is simply unaware of what is contained in that annex. The Senator from Minnesota and I, by virtue of being on the committee, are aware of what is contained in the classified portion and have access as such.

My criticism is not directed toward the Senator from Alaska but toward the other body. My criticism is that we now have to step into this minefield of ambiguity to talk about a specific system that was not requested by the Intelligence Committee. It is not needed, and it is going to be expensive and rob us of the ability to fund in the

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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future other systems that are far more valuable.

What I am suggesting is that it was in fact pork-barrel legislating and appropriating, not by the Senator from Alaska but by the other body. What I am also saying is that as soon as we reconvene, I intend to do everything I can to see that we terminate that particular item.

Mr. STEVENS. Mr. President, we face that every year. We spent 5 months resolving the opposition of the legislating committees to the absolutes of the appropriations process. I remind my colleagues that in the old days, when we considered appropriations bills for intelligence and defense, we had those bills in June. We had them, we worked them over, we had time to confer with our colleagues. I do not remember that kind of dispute before about 1982 and 1983, when the budget process really started absorbing our time. I am not faulting the budget process, it is just a matter of time.

The impact is what the Senator has mentioned, what has happened. In defense of our compromise, though, we are highly constrained as to what we can talk about, but I am sure the Senator from Maine realizes that there is a hiatus in the systems, that in the interim the moneys will be expended, albeit the manner that they are expended will probably lead to further production in areas that the Intelligence Committee does not want. I understand that. But there is no question that there is a hiatus and that hiatus will be partially solved by the utilization of moneys we made available.

We cannot go into that total matter, Mr. President, and I cannot pique anybody's curiosity to try to look into this because it is highly sensitive and highly necessary.

The problem we have, again I say, is if we are going to find a way around this concept that plagues us annually so that my friend from Texas is not criticizing us and my friend from Arizona, I say to the Senate that it is time we had the authorization process merged with the appropriations process to the point that the people who have become expert in defense matters or intelligence matters are in fact the people who meet with the House in both matters. They have four and a half times the people we do, yet we do exactly the same functions they do. They have the luxury of spending full time on one authorization committee or full time on an appropriations committee. They have full time in the Budget Committee.

We spend our time—I do not know about the rest of my colleagues. I assume they are on the same number of committees I am, five or six committees. We have to finally end up in this situation where we are trying to solve issues in the appropriations process.

Mr. President, there are 13 appropriations bills in front of us in one bill.

In days gone by, those were passed before September 30 as separate bills following the enactment of separate authorization bills that had been passed and signed by the President before we brought these bills to the floor.

Yet, year after year, the gentleman from the authorization committee complained and we had to take it a little personally, because the people on the Appropriations Committee find themselves in the position of having to resolve these issues in the last minute in all-night sessions. We were in 2 all-night sessions out of 10, Mr. President.

I do not know how we can do anything different than finally resolve them. In order to resolve them, we have to yield on some issues to the House. That is the legislative process. I do not know how anybody can complain.

The interesting thing is, no one has complained about what has been left out. Yet we have cut over \$30 billion from the bills that first came out of both these committees.

Imagine that. Even the administration says this is a wonderful bill. Our staffs—Senator STENNIS' staff and mine—and the two of us, with the assistance of the people who serve on our committees. Basically, those who serve on our committees are chairmen and ranking members of others so they do not put a lot of time in on this bill—we do. We have cut about \$30 billion out of this bill. It is totally in compliance with the budget. It is consistent in terms of the outlays, it is consistent in terms of budget authority. It saves money. It rescinds \$5.3 billion of prior moneys and makes that money available for other projects this year to save money for the taxpayers. Yet we get the problem of people saying, "Wait a minute, you went too far. Even having done that, you have included too many things in here with this money."

The T-46, for instance. Everybody told us about the question of affordability. We could not afford it. It was in this bill, within the budget, within the outlays. And some way, we are going to get a next-generation trainer.

Again, I say to my good friends, we have done our level best. The problems they complain about, I say be my guest if you want to repeal something that is in here. But if you repeal it, I guarantee the House will take out the provisions you want. You will harm the intelligence program in the long run if you take out the rabbit in order that the team of horses cannot run.

Mr. COHEN. Will the Senator yield on that point?

Mr. STEVENS. Yes, Mr. President.

Mr. COHEN. First, I want to commend the Senator from Alaska for the enormous job he has done in bringing us 13 bills in 1 appropriations bill.

□ 1610

I do not think anyone has anything but commendation for the efforts of

the Senator. What we are talking about is an institutional problem, and I would be the first to agree that we ought to merge the authorization and appropriation process. I am fully prepared to give up whatever position I hold on any committee to achieve that goal, because what we have now is paralysis. What we have now is a system that does not work and it does bring us to the edge of every single session with late night sessions, having one or two Members hold up the entire Congress and the country to protect their own special interests.

The system is in a state of gridlock. It ought to be changed. So I would be willing to give up my position on the Armed Services Committee, the Intelligence Committee, the Governmental Affairs Committee, or the Aging Committee, any of them, in order to achieve that. So the Senator has my support if that is what he would like to do.

My problem is this: neither the House Intelligence Committee nor the Senate Intelligence Committee ever authorized the particular system that I have to refer to so obliquely, and that particular system is going to cost us amounts of money that will make this T-46 look like a mere bagatelle. All I am suggesting to the Senator from Alaska is that when we start pork barreling intelligence, it is not his fault. It came from the other body; it originated in the House Appropriations Committee this time. I understand the pressures he is under, but I think that is setting a precedent we will regret. I am only putting the Senate on notice that I will renew next year my effort to take that out.

Mr. STEVENS. Mr. President, I just close by saying pork is not made only in the House of Representatives.

Mr. GRAMM addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. Mr. President, we are 14 days past our planned adjournment. The Government is technically shut down. A lot of us are wondering what we are doing debating these projects, but I would like to make a couple of points that I think are relevant to that debate.

I think one can criticize the process, criticize the timetable, but we are here today basically because of two types of pork barrel. One type of pork barrel is an attempt at the 11th hour to build buildings that have not been authorized and that the General Services Administration does not want. The second type of pork barrel is the type that comes from building a plane that the Air Force says it does not want.

Now, we can kick the institution around all we want to about being here. But here we are on what we hope is the last day of a session in which Federal spending has grown less than any year since 1955. This is a year in which we have cut defense. This is a year in which real entitle-